

Introduced by Senator Liu

February 26, 2015

An act to add Sections 11327.10, 18901.11, 18901.12, and 18901.13 to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 521, as introduced, Liu. CalFresh employment and training program.

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), formerly the Food Stamp Program, under which nutrition assistance benefits, formerly referred to as food stamps, are allocated to each state by the federal government. That program, as administered in California, is known as CalFresh. Under existing state law, pursuant to CalFresh, California's federal allocation is distributed to eligible individuals by each county. Existing law establishes eligibility and benefit level requirements for receipt of CalFresh benefits.

Existing law authorizes counties to participate in the CalFresh Employment and Training (CalFresh E&T) program, established with the purpose of assisting members of CalFresh households to obtain regular employment, and requires participating counties to screen CalFresh work registrants to determine whether they will participate in, or be exempt from, the CalFresh E&T program.

The bill would require the State Department of Social Services to request a waiver from the federal government to allow county human services agencies to serve CalFresh E&T recipients for up to 5 months, to match the length of services of transitional CalFresh benefits with the post-employment services of the CalFresh E&T program, for a period of up to 5 months. By imposing additional duties on local agencies, this bill would impose a state-mandated local program.

This bill would require the department, in order to improve employment opportunities and increase wages of CalFresh recipients by increasing access to adult and post-secondary education and vocational training programs at California community colleges, annually issue guidance through all county letters for county human services agencies wishing to partner with a community college in the administration of its CalFresh E&T program, as specified.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program for the allocation of federal funds received through the TANF program, under which each county provides cash assistance and other benefits to qualified low-income families.

Under existing law, when an individual fails or refuses to comply with specified components of the CalWORKs program without good cause, the individual is subject to prescribed financial sanctions.

This bill would provide that when a CalWORKs recipient has been sanctioned due to noncompliance with his or her welfare-to-work plan, the recipient shall not be assigned a CalFresh penalty until the county has determined that the individual does not qualify for an exemption to the CalFresh work requirement and has not registered for work, the county has notified the recipient that the recipient is not eligible for an exemption, and has instructed the recipient about how to comply with the requirements or verify an exemption to the CalFresh work requirements. The bill would also require that if the CalFresh recipient complies with the requirement during the notice of adverse action period and has registered for work with the Employment Development Department, the proposed penalty would be canceled and would not count as an occurrence for the purposes of determining the length of future CalFresh disqualification periods. By imposing additional duties on local agencies, this bill would impose a state-mandated local program.

The bill would require the CalFresh E&T program to be included in the state's Workforce Investment and Opportunity Act state plan in order to improve coordination between established workforce training programs.

The bill would state findings and declarations by the Legislature relative to unemployment rates and CalFresh recipients.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares the following:
2 (a) According to the Employment Development Department,
3 Labor Market Information Division, there were over 600,000
4 long-term unemployed in California in February of 2014, well
5 above pre-Great Recession levels.
6 (b) Counting people who are out of work and have stopped
7 searching, California had the highest “U6” unemployment rate in
8 the country, 15.8 percent, in late 2014.
9 (c) The federal Supplemental Nutrition Assistance Program
10 Employment and Training Program offers a dollar for dollar federal
11 match of allowable expenses to fund employment training and
12 post-employment support for CalFresh recipients for the purposes
13 of increasing future earnings in order to reduce their dependence
14 on CalFresh.
15 SEC. 2. Section 11327.10 is added to the Welfare and
16 Institutions Code, to read:
17 11327.10. When a CalWORKs recipient has been sanctioned
18 due to non-compliance with his or her welfare-to-work plan,
19 pursuant to Section 11327.4, the recipient shall not be assigned a
20 CalFresh penalty until the county has determined that the individual
21 does not qualify for an exemption to the CalFresh work requirement
22 and has not registered for work, the county has notified the
23 recipient that the recipient is not eligible for an exemption, and
24 has instructed the recipient about how to comply with the
25 requirements or verify an exemption to the CalFresh work
26 requirements. If the recipient complies with the requirements
27 during the notice of adverse action period and has registered for
28 work with the Employment Development Department, the proposed

1 penalty shall be canceled and shall not count as an occurrence for
2 the purposes of determining the length of future CalFresh
3 disqualification periods. If a county elects to administer a CalFresh
4 E&T program pursuant to Section 18926.5, it shall screen these
5 recipients pursuant to paragraph (b) of Section 18926.5 before
6 placement into the program. Receipt of CalWORKs cash aid by
7 another person in the recipient's household does not impact the
8 eligibility of a CalFresh recipient to participate in a CalFresh E&T
9 program.

10 SEC. 3. Section 18901.65 is added to the Welfare and
11 Institutions Code, to read:

12 18901.65. The department shall seek a federal waiver to allow
13 county human services agencies to serve CalFresh E&T program
14 recipients for up to five months, to match the length of service for
15 transitional CalFresh benefits, established in Section 18901.6, with
16 the post-employment services of the CalFresh E&T program,
17 established in Section 18926.5, for a period of up to five months.

18 SEC. 4. Section 18901.12 is added to the Welfare and
19 Institutions Code, to read:

20 18901.12. The state shall include the CalFresh E&T program
21 in the state's Workforce Investment and Opportunity Act state
22 plan in order to improve coordination between established
23 workforce training programs.

24 SEC. 5. Section 18901.13 is added to the Welfare and
25 Institutions Code, to read:

26 18901.13. (a) The department shall, in order to improve
27 employment opportunities and increase wages of CalFresh
28 recipients by increasing access to adult and post-secondary
29 education and vocational training programs at California
30 community colleges, annually issue guidance through all county
31 letters for county human services agencies wishing to partner with
32 a community college in the administration of its CalFresh E&T
33 program, and support any county seeking approval by the United
34 States Department of Agriculture to include a community college
35 component in its approved CalFresh E&T program plan.

36 (b) The guidance provided for in this section shall include:

37 (1) A list of approved sources of state share match for
38 community college CalFresh E&T programs.

1 (2) A list of education courses that would be approved under
2 Section 4007 of the Agricultural Act of 2014 (7 U.S.C. Sec.
3 2015(e)(3)(B)), which are either:

4 (A) Part of a program of career and technical education, as
5 defined in the Carl D. Perkins Career and Technical Education
6 Act of 2006 (20 U.S.C. Sec. 2302) that may be completed within
7 four years at an institution of higher education, as defined in
8 Section 102 of the Higher Education Act of 1965 (20 U.S.C. Sec.
9 1002).

10 (B) Limited to remedial courses, basic adult education, literacy,
11 or English as a second language.

12 (3) The additional outcomes that are required to be reported
13 beyond those required by subdivision (c) of Section 18926.5, when
14 a county's CalFresh E&T program includes a community college
15 component.

16 (4) The process for verifying that a student is eligible to
17 participate in the CalFresh E&T program at a community college.
18 A student is eligible to be assigned to participate in the program
19 by the county human services agency or designee of the agency
20 only as a volunteer, not as a mandatory participant. A CalFresh
21 recipient also receiving CalWORKs cash aid is ineligible to
22 participate in the CalFresh E&T program, but the receipt of
23 CalWORKs cash aid by other people in his or her household shall
24 not impact his or her eligibility for the CalFresh E&T program.

25 (c) Nothing in this section requires a county to offer a particular
26 component as a part of its CalFresh E&T plan or restricts the use
27 of federal funds for the financing of CalFresh E&T programs.

28 SEC. 6. If the Commission on State Mandates determines that
29 this act contains costs mandated by the state, reimbursement to
30 local agencies and school districts for those costs shall be made
31 pursuant to Part 7 (commencing with Section 17500) of Division
32 4 of Title 2 of the Government Code.